

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ROBERT HOPKINS, III,

Plaintiff,

v.

DEPARTMENT OF DEFENSE,

Defendant.

§
§
§
§
§
§
§
§
§
§
§

Civil Action No. 3:22-CV-00706-E

ORDER

Before the Court are two motions filed by Plaintiff Robert Hopkins, III: (1) Plaintiff's Unopposed Motion for Reconsideration, (ECF No. 49); and (2) Plaintiff's Unopposed Motion for Enlargement of Time within which to File Notice of Appeal, (ECF No. 50). On March 25, 2024, the Court issued a memorandum opinion and order in which it dismissed all of Plaintiff Hopkins' claims with prejudice after concluding the Court lacked subject-matter jurisdiction to adjudicate his claims. (*See* ECF No. 47).

In his motion for reconsideration, Plaintiff Hopkins asserted that he demonstrated excusable neglect—the standard by which Fed. R. App. P. 60(b)(1) motions are measured—when he incorrectly assumed that his motion to stay would be granted, thus resulting in his failure to timely respond to Defendant Department of Defense's dispositive motion. (*See* ECF No. 49 at 1-2). However, Plaintiff Hopkins' incorrect assumption does not constitute excusable neglect, and thus, he has not shown himself entitled to reconsideration. The Court hereby **DENIES** Plaintiff Hopkins' motion for reconsideration. (ECF No. 49).

Further, because Plaintiff Hopkins failed to demonstrate excusable neglect, he cannot satisfy Fed. R. App. P. 4(a)(5), which permits a district court to extend the time to file a notice of appeal if “that party shows excusable neglect or good cause.” Fed. R. App. P. 4(a)(5). Thus, Plaintiff Hopkins’ motion for enlargement of time within which to file notice of appeal is also **DENIED**. (ECF No. 50).

SO ORDERED: May 20, 2024.

A handwritten signature in black ink, appearing to read 'Ada E. Brown', is written over a horizontal line.

Ada E. Brown
UNITED STATES DISTRICT JUDGE